

Amendment No. 1 to HB9076

Hazlewood  
Signature of Sponsor

**AMEND Senate Bill No. 9013**

**House Bill No. 9076\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1.

(a) Notwithstanding any law to the contrary, the commissioner of health has the sole authority to determine quarantine guidelines for:

(1) A person if the person tests positive for COVID-19. The quarantine of a person must be lifted if the person receives a negative antigen detection test result or a negative molecular diagnostic test result at any time during the quarantine period; and

(2) A private business or school for purposes of closing the private business or restricting the operation of the private business for purposes of COVID-19. The quarantine of a business must be lifted as soon as practicable after the commissioner is satisfied that the conditions at the business do not present a serious public health or safety threat with respect to the spread of COVID-19.

(b) A local health entity or official, mayor, governmental entity, or school does not have the authority to quarantine a person or private business for purposes of COVID-19.

(c) The commissioner may only establish quarantine guidelines by rules promulgated pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Section 4 of Chapter 550 of the Public Acts of 2021, as codified in Tennessee Code Annotated, Section 68-2-609, is amended by deleting subdivision (4) and substituting instead:

(4) Except during a declared state of emergency for a COVID-19 pandemic, rules and regulations as are necessary or appropriate to protect the general health and safety of the county.

SECTION 3. Tennessee Code Annotated, Section 68-2-603(a), is amended by deleting subdivision (6) and substituting instead:

(6) When the commissioner appoints a county health director pursuant to this subsection (a), the appointment shall be made in writing by the commissioner in concurrence with the county mayor of the county for which the appointment is made. The mayor shall submit a slate of not more than three (3) nominees to the commissioner for consideration within ten (10) days of a request for nominees by the commissioner. The commissioner may appoint a health director from the list of nominees, or may request additional nominees, or may appoint someone to the position that has not been nominated by the mayor. If the commissioner appoints someone who is not a nominee of the mayor, the commissioner must first consult with the mayor and provide written justification as to why one (1) of the nominees was not selected.

SECTION 4. Tennessee Code Annotated, Section 68-2-601(i), is amended by deleting the subsection and substituting instead the following:

(i) A county health department or board of health of a county in existence prior to July 1, 1985, remains in existence after the effective date of this act. The regulations of such departments and boards remain in full force in effect to the extent such regulations do not conflict with Section 1 of this act.

SECTION 5. Tennessee Code Annotated, Section 68-2-609(1), is amended by deleting the subdivision and substituting:

(1) Except as provided in Sections 1 of this act, the quarantine of any place or

person, if the county health officer finds that quarantine is necessary to protect the public health from an epidemic;

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.